

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RENDAE DIATEZ WEST,

Petitioner,

Case No. 1:10-cv-1296

v

HON. JANET T. NEFF

CARMEN PALMER,

Respondent.

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**FINAL ORDER**

In accordance with the Opinion entered this date:

**IT IS HEREBY ORDERED** that the Motion to Alter or Amend Judgment (Dkt 38) is GRANTED, and the Court's December 13, 2012 Order Approving Magistrate Judge's Report and Recommendation (Dkt 34) is VACATED in order to consider the merits of Plaintiff's Objections to the Report and Recommendation.

**IT IS FURTHER ORDERED** that the Objections (Dkt 36) are DENIED and the Report and Recommendation of the Magistrate Judge (Dkt 33) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the petition for habeas corpus relief (Dkt 1) is DENIED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is DENIED as to each issue asserted.

Date: March 25, 2013

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge